

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shigenobu SATO et al.

Group Art Unit: Unknown

Appln. No

: 10/642,756

Examiner: Unknown

Filed

: August 19, 2003

For

: INTERVERTEBRAL SPACER

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, §1.97-1.98, Applicants hereby call the following documents to the Examiner's attention:

Japanese Laid-Open Patent Publication No. 2002-095685, published on April 2, 2002, together with an English language Abstract of the same. Applicants note that this document is discussed on page 1 of the specification of the instant application.

Japanese Laid-Open Patent Publication No. 9-503416, published on April 8, 1997, together with English language patent family member U.S. Patent No. 5,397,364 to KOZAK et al., issued on March 14, 1995.

Applicants respectfully request that the Examiner consider and cite the patent documents. A copy of the above-noted documents are attached and have been listed on a PTO-1449 Form which is also attached hereto. Accordingly, the Examiner is requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the Form to the Applicants with

P24072.A01

the next official communication in the present application to confirm consideration of these

documents.

Applicants also bring to the Examiner's attention the following copending and commonly

assigned patent application:

U.S. Patent Application No. 10/642,684 to NAKAHARA et al., entitled "Intervertebral

Cage", filed on August 19, 2003.

In accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the above-mentioned application

is attached hereto. However, the Examiner is also requested to review the file wrapper of this

U.S. patent application at the U.S. Patent and Trademark Office and the references of record, if

any, cited therein.

Should the Examiner have any questions, the Examiner is invited to contact the

undersigned at the below-listed telephone number.

Respectfully submitted,

Shigeenobu SATO et al.

Will, E. L. Res. No. Bruce H. Bernstein 41,568

Reg. No. 29,027

November 12, 2003

GREENBLUM & BERNSTEIN, P.L.C.

1950 Roland Clarke Place

Reston, VA 20191

(703) 716-1191

2

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office								Atty. Docket No. P24072		Serial No. 10/642,756					
OIR	R	NA.	IAT:	D	ו עו	וטו	UA.	141	TATEMENT		Applicant Shigenobu SATO et al.					
NOV 1 9 2003 Se several sheets if necessary)											Filing Date August 19, 2003		Group 3738			
August 19, 2003 3738  U.S. PATENT DOCUMENTS  EVANDINED  EVANDINED  EVANDINED																
EXAMINER INITIAL		DOCUMENT NUMBER						ER	DATE	)	NAME CLASS		SUBCLASS	FILING DATE IF APPROPRIATE		
		5	5 3 9 7 3 6 4					4	03/14/95	KOZAK et al.						
		П														
<u> </u>		П														
		П														
		П														
	Г	П														
		П														
		П														
		П														
		П								-						
		П														
									FOI	REIGN PATEN	IT DOCUMENTS					
		DOCUMENT NUMBER						ER	DATE	COUNTRY		CLASS	SUBCLASS	TRANSLATION YES NO		
20	0	2	-	9	5	6	8	5	04/02/02	JAPAN						
	9		5	0	3	4	1	6	04/08/97	JAPAN						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)																
		1	1 English Language Abstract of JP 2002-95685.													
EXAMINER											DATE CONSIDERE	ED				
*EXAMINER:											ormance with MPEP 60	09; Draw line	through citation	if not in con	formance	